

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for non-prisoners to file a civil complaint. NEATLY print in ink (or type) your answers.]

Kevin Scott Varner
[You are the **PLAINTIFF**, print your full name on this line.]

v.

Ausco Products Inc.
[The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 2:22-cv-184
[For a new case in this court, leave blank.
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

FILED

JUL 12 2022

At _____ M
GARY T. BELL, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

CIVIL COMPLAINT

#	Defendant's Name and Job Title	Address
1	[Put the defendant named in the caption in this box.] <u>Ausco Products Inc.</u>	<u>2245 Pipestone Rd.</u> <u>Benton Harbor, MI</u> <u>49022</u>
2	[Put the names of any other defendants in these boxes.] <u>Krista Rendo</u> <u>Human Resource Manager</u>	<u>2245 Pipestone Rd.</u> <u>Benton Harbor, MI</u> <u>49022</u>
3	<u>N/A</u>	<u>N/A</u>

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and address of each defendant in a separate box as shown here.]

- How many defendants are you suing? 2
- What is your address? 1022 Bauer Street, Hammond, IN
46320
- What is your telephone number: (269) 999-4343
- Have you ever sued anyone for these exact same claims?
☒ No.
☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how these events happened.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include the names of minors, social security numbers, or dates of birth.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. *[The first paragraph has been numbered for you.]*

1. (See Attached)

1. Plaintiff was an employee working at Ausco Products Inc., in the lining department, on or about March 2022 to May 2022. Women and men employees were assigned to this department under the same job title and description. At the time, Ausco Products Inc. policy was to require men in the department to be trained/and to operate the hot press machines. Women in the department were not required to be trained/and to operate the hot press machines. Women in the department could volunteer to be trained/and to operate the hot press machines. Plaintiff was required to be trained/and to operate the hot press machines while he was assigned to the lining department. No women employees operated the hot press machines while Plaintiff was assigned to the lining department.
2. The hot press machines are one of the most difficult and dangerous operations performed by employees in the lining department. Because of the temperature of the ovens, there is always a burn threat to the operator. Also, Ausco Products Inc. is a company that requires employees to meet a minimum performance rate. It is harder to make this rate on the hot press machines, relative to other operations performed by employees in the lining department.
3. At a meeting chaired by Krista Rendo, Human Resource Manager, on or about May 2022, Plaintiff informed her that he felt that Ausco Product Inc.'s policy in regards to the hot press machines in the lining department was in violation of his rights against sexual discrimination and the principle of equal pay for "equal work" in the workforce.
4. Krista Rendo, Human Resource Manager, responded to Plaintiff's verbal complaint by making a comment and telling a joke that called in question the Plaintiff's masculinity and relation to the LGBTQ community for complaining and wanting to do "girly" work. Plaintiff was emotionally and/or mentally hurt by Krista Rendo's comment and joke.
5. On or about June 10, 2022, Plaintiff filed a written employee complaint at Ausco Product Inc. in which he alleged the above stated facts.

Claims and Facts (continued)

PRIOR LAWSUITS – Have you ever sued anyone for this exact same event?

☒ No.

☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

RELIEF – If you win this case, what do you want the court to order the defendant to do?

Plaintiff seeks an injunction ordering the Defendant to end its sexual discrimination practices in the lining department; \$100,000 in compensatory and/or punitive damages; and/or a jury demand.

FILING FEE – Are you paying the filing fee?

☐ Yes, I am paying the \$402.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. [If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]

☒ No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

[Initial Each Statement]

KV I will keep a copy of this complaint for my records.

KV I will promptly notify the court of any change of address.

KV I declare under penalty of perjury that the statements in this complaint are true.

Kevin Varney
Signature

July 5, 2022
Date